

### **AMENDMENTS TO THE DRAWINGS**

The attached "Replacement Sheet" of drawings includes changes to Figure 2. The attached "Replacement Sheet," which includes Figure 2, replaces the original sheet including Figure 2

Attachment: Replacement Sheet (Page 2/3)

## **REMARKS**

Claims 1-22 are now pending in the application<sup>1</sup>. Claims 1-22 are rejected. Claims 1-3, 5, 8-10, 12-18, 21, and 22 have been amended. Support for the amendments can be found throughout the application, drawings and claims as originally filed and, as such, no new matter has been presented. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

## **APPLICANTS INTERVIEW SUMMARY**

The undersigned thanks the Examiner for the telephone conversation on Tuesday, May 2, 2006. During the conversation, the cited art and pending claims were discussed. The claims have been amended based on the conversation with the Examiner.

## **DRAWINGS**

The undersigned gratefully acknowledges Examiner's acceptance of the drawings filed with the application on October 31, 2003. Figure 2 of the drawings has been amended to clarify the components illustrated in the drawings. As the components were identified in the application as filed, no new matter has been added by this amendment. Acceptance of these minor changes to Figure 2 is respectfully requested.

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<sup>1</sup> The undersigned notes the typographical error in Paragraph I on Page 2 of the OA, which states "... Claims 1-29 are pending ...." – this application was filed with only **22** claims and the application has not previously hereto been amended to include any new claims. The pending claims are, however, correctly identified on the Office Action Summary as "**Claims 1-22.**"

### **CLAIM AMENDMENTS**

Minor amendments have been made to Claims 2, 3, 5, 8-10, 13-18, and 21 to correct various informalities, and to even further improve the readability of the claims. Claims 1, 12 and 22 have been amended to more particularly define the various recited limitations. Support for these amendments to Claims 1, 12 and 22 can be found in Applicant's specification as filed, such as at least paragraphs [0037] and [0039] and, thus, Applicant respectfully submits that these amendments do not constitute new matter.

### **REJECTION UNDER 35 U.S.C. §§ 102 AND 103**

Claims 1-5, 7, 9-10, 12-14, 16, 18-19, and 21 are rejected under 35 U.S.C. §102(e) as being anticipated by Richton (US 6,650,902; hereinafter "Richton"). Claims 6 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Richton in view of Weisshaar et al. (US 6,580,916; hereinafter "Weisshaar"). Claims 8 and 17 are rejected as being unpatentable over Richton in view of Ogasawara et al. (US 6,947,754; hereinafter "Ogasawara"). Claims 11 and 20 are rejected as being unpatentable over Richton in view of Richard (US 6,785,551; hereinafter "Richard"). Claim 22 is rejected under 35 U.S.C. §103(a) as being unpatentable over Richton in view of Ogasawara as applied to claims above and further in view of Weisshaar. These rejections are respectfully traversed.

At the outset, independent Claim 1 recites:

reporting the current locations and addresses of the plurality of recipients to a geospatial database;

\* \* \*

determining the addresses of the recipients that are located within the geographic region by using the geospatial database to compare the current reported locations of the recipients with the reference to the structure; and

targeting the message to the addresses of each of the recipients having current locations within the geographic region (emphasis added).

Additionally, Claim 12 recites:

a plurality of receivers including at least one mobile receiver, each of the plurality of receivers including a current address and a location in a geographic area and reporting the current address and the location to the geospatial database on a selected frequency... (emphasis added).

Claim 22 recites:

a plurality of receivers including at least one mobile receiver, each of the plurality of receivers including an address and a location within a geographic area and reporting the current address and the location of the mobile receiver to the geospatial database, at least one of the addresses being a wide area network address which changes; and

the transmitter enabling operation at an OSI application level to receive a message and a geographic destination designator designating a geographic destination for the message, and enabling access to the geospatial database to identify the addresses of the receivers currently reported to be in the geographic destination, to target the message to the identified receivers at their reported current address, and enabling transmission of the message

as a series of unicast messages to the identified receivers (emphasis added).

Applicant respectfully asserts that these features as claimed are not taught or suggested by Richton.

With regard to Richton, as discussed with the Examiner, Richton does not disclose or suggest reporting a current address of a receiver to a database. Rather, Richton appears to disclose a user designated location that is user inputted into a mobile unit 201 and stored as a street address or latitude/longitude. This information can later be accessed by the user so that the user can request information relating to those designated locations. In particular, "the user specifies the designated site (remote target location) that is to be the basis of the information retrieval...." (see at least Column 8, lines 45-57). Richton does not disclose whatsoever a current address that is reported by a receiver or reporting to a database a current location of a receiver in a geographic region.

Further, neither Weisshaar, Ogasawara nor Richard remedy the shortcomings of Richton. With regard to Weisshaar, Weisshaar appears to disclose, at best, establishing a link with a user device 108 when the user device 108 is in proximity to a local node 106 or other service provider. Weisshaar does not disclose whatsoever reporting a current location of a receiver. Ogasawara appears to disclose a mobile station 10 that transmits a signal including a location upon receipt of a signal from a base station 21. Ogasawara, however, does not disclose whatsoever designating a geographic region by reference to a structure within the geographic region. Rather, Ogasawara designates a

geographic region based on an area code associated with the base station 21. An "area code" is significantly different from a structure within a geographic region, as claimed herein. Further, there is no motivation to modify Ogasawara to include such a feature, as it would improperly modify the intended use and method of operation of Ogasawara.

With regard to Richard, Richard appears to disclose a GPS receiver which provides a location to a transmission station 12 and based on that location, the transmission station 12 transmits data to a mobile environment 36. Richard does not disclose whatsoever designating a geographic region by reference to a structure within the geographic region as claimed herein. Rather, Richard discloses the transmission of information based on a region the mobile environment 36 is in, and not based on the location of a receiver with regard to a specific structure. Further, there is no suggestion to modify Richard to include such a feature, and this modification would improperly modify the intended use and method of operation of Richard.

Accordingly, as none of the cited references teach or disclose at least these features of independent claims 1, 12 and 22, Applicant respectfully asserts independent claims 1, 12 and 22 are patentable and in condition for allowance. Additionally, with regard to Claims 2-11 and 13-21, as these claims depend from either independent Claims 1 or 12, these claims are also believed to be patentable and in condition for allowance for at least the reasons set forth for Claims 1 and 12 above. Reconsideration and withdrawal of these rejections are respectfully requested.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: \_\_\_\_\_

5/22/06

By: \_\_\_\_\_



Mark D. Elchuk, Reg. No. 33,686  
Erica K. Schaefer, Reg. No. 55,861

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

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